APPENDIX

APPENDIX I

School	Traditional Enrollment in "dual system" era	Enrollment (1969-70 school year) White	Enrollment (1969-70 school year) Negro	Faculty White	Faculty Negro	Principal
Adams	Negro	686	311	20	16	Negro White Asst.
Bienville	White	288	313	11	7	White
Burroughs	Negro	192	290	10	6	Negro
Craighead	White	290	569	14	12	White Negro Asst.
Dixon	Negro	249	189	8	5	Negro
Evans	White	54	87	8	8	White
Hall	Negro	180	838	12	16	White Negro Asst.
Hillsdale	Negro	431	217	16	11	Negro White Asst.
Leinkauf	White	224	235	9	4	White
Lott	Negro	465	145	12	8	Negro
Mount Vernon	White	84	358	5	8	White
Phillips	White	691	179	34	3	White Negro Asst.
Prichard	White	299	201	16	6	White Negro Asst.
St. Elmo	Negro	436	54	11	9	Negro White Asst.
Thomas	Negro	222	101	7	3	White
Whistler	White	227	231	13	5	White
Williamson	Negro	605	408	5	34	Negro White Asst.
Woodcock	White	183	186	7	5	White

All figures are taken from the Findings of Fact of the District Court on April 14, 1970.

APPENDIX II

(Taken from the April 14, 1970 Findings of Fact of the District Court, pages 19-22)

There have been a number of consolidations, some proposed voluntarily by the School Board and some required by the District Court, within the past three years. Each has resulted in a significant increase in the extent of integration. Some of these are:

1. Closing of the all negro Emerson Elementary School and distribution of its students to adjacent schools, one of which is traditionally negro (Council) and one traditionally white (Leinkauf), producing a current enrollment at Leinkauf of 224 white and 235 negro.

2. Closing of the all negro Robert Thompson School and consolidation of its students into the otherwise all white Wilmer School.

3. Closing of the all negro Cottage Hill Elementary School and the distribution of its students to the otherwise all white Fonde, Shepard and Dodge Elementary Schools.

4. Consolidation of the all white Citronelle and all negro Rosa Lott Schools, resulting in the following current enrollments: Citronelle, 800 white and 400 negro; Rosa Lott, 465 white and 145 negro.

5. Conversion of the all white Augusta Evans School to a school for special students that has a current enrollment of 54 white and 87 negro, and a faculty of 8 negro and 8 white.

6. Closing of the traditionally white Arlington Elementary School and the distribution of its students to surrounding schools, some of which are predominantly white, and some of which are predominantly negro.

7. Closing of the all negro Warren Elementary School and distribution of its students to the predominantly white Crichton Elementary School and other schools, predominantly negro, producing a current enrollment at Crichton of 457 white and 240 negro.

8. Closing of the all negro Barney School resulting in distribution of its students to surrounding schools, some predominantly white and some predominantly negro.

9. Consolidation of the all negro Belsaw and the all white Mount Vernon schools, resulting in integration of both schools.

10. Consolidation of the all negro St. Elmo and all white Theodore Schools, resulting in the following current enrollments: St. Elmo 436 white, 54 negro; Theodore 1466 white and 335 negro.

11. Consolidation of the all negro Burroughs, all negro Dixon and all negro Dawes Union Schools with the all white Griggs and all white Davis Schools resulting in:

(a) Closing of the all negro Dawes Union School

(b) Integration of the other four schools producing the following current enrollments:

Burroughs	—	192 white, 290 negro;
Griggs	—	865 white, 41 negro;
Davis	—	591 white, 178 negro;
Dixon	—	249 white, 189 negro.

APPENDIX III

In the
United States Court of Appeals
For the Fifth Circuit

No. 29332

Birdie Mae Davis, et al.,
Plaintiffs-Appellants-Cross Appellees,
and
United States of America, etc.,
Plaintiff-Intervenor-Appellants-Cross Appellees,
versus
Board of School Commissioners of Mobile County, et al,
Defendants-Appellees-Cross Appellants,
and
Twila Frazier, et al.,
Intervenors-Appellees.

Appeals from the United States District Court for the Southern District of Alabama

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(August 4, 1970)

Before Bell, Ainsworth, and Godbold,
Circuit Judges.

BELL, Circuit Judge: We consider again the Mobile School case. This time it comes to us on a motion for injunctive relief pending application for certiorari; or in the alternative, that we vacate the order of the district court entered on July 13, 1970 in implementation of our

decision of June 8, 1970 as to student assignment. We deny injunctive relief and modify the order of July 13, 1970. In addition, we require that a bi-racial advisory committee to the school board be established forthwith.[1]

It will be necessary to review the action in the district court since the issuance of the mandate of this court pursuant to our decision of June 8, 1970. The appeal which gave rise to that decision came to us in the posture of the Mobile school system being operated in an unconstitutional manner with respect to faculty and staff as well as student assignment. We reversed with direction. The direction was to order that the faculty and staff ratio which was decreed in *Singleton v. Jackson,* 5 Cir., 1969, 419 F. 2d 1211 (en banc consideration of Mobile and 12 additional school desegregation cases), be effected throughout the system. We also directed that the majority to minority transfer provision of *Ellis v. The Board of Public Instruction of Orange County, Florida,* 5 Cir., 1970, ... F. 2d ... [No. 29,124, slip opinion dated February 17, 1970], be required. The district court carried out this direction explicitly in an order dated June 12, 1970.

We also directed that a bi-racial committee be established to advise with the school board, and that stated duties be assigned the bi-racial committee. The district court stated in the order of June 12, 1970 that a supplemental order would be entered to effectuate this direction. Appellants state that the bi-racial committee has not been established.

With respect to the student assignment plan as revised by the district court in its order of July 13, 1970, some background is necessary. The case came to us with

[1] We treat this motion as a part of the previous appeal since the relief sought goes to the efficacy of the mandate of this court. For such purposes and so that our previous mandate may be amended, the mandate of the court is recalled.

60 per cent or 18,623 of the total of 30,884 Negro students assigned to 19 all Negro or virtually all Negro student body schools. We studied the several proposed student assignment plans in the record on appeal and concluded that the Department of Justice plan would disestablish the dual school system if modified in some particulars. Under that plan, as modified by us, the Mobile school system would open in September 1970 with no all Negro or virtually all Negro high or junior high schools and with only 8 all Negro elementary schools. The number of Negro students attending these all Negro or virtually all Negro student body schools was reduced from 18,623 to 7,725 or 25 per cent of the total, and these in grammar schools only. Every Negro child would receive an integrated junior high and high school education.

In addition to directing that the district court draw a new zone line so as to desegregate Toulminville High School (all Negro), we recognized the possibility of the figures on which we relied being inaccurate. In footnote 4 we said:

> "The defendants warn that the figures used by the Department of Justice and HEW are inaccurate. This may be true but the defendants, the only parties in possession of current and accurate information, have offered no help. This lack of cooperation and generally unsatisfactory condition, created by defendants, should be terminated at once by the district court. Such errors in information as do exist may be corrected and the situation adjusted accordingly by the district court."

It developed on remand that there were inaccuracies. For example, according to the order of the district court dated July 13, 1970 (chart attached to order showing racial composition and capacity of schools, reproduced infra), our plan made no provision for the 6th grade chil-

dren in the Indian Springs school. Our plan, which was based on the plans of record, was also in error in some instances as to school capacity, i. e., the schools would not accommodate the numbers contemplated. In this connection we assigned 2,886 students to Phillips Junior High which has a permanent capacity of 980. There were other such errors but not of this magnitude. We knew that some of the schools had portable class rooms but the record did not disclose the number.

At any rate, our view was and is that the exigencies of the situation required that this court promulgate a plan of student assignment meeting constitutional standards for immediate implementation rather than to continue the backing and filling which is inherent in the appellate and remand process, and which had been demonstrated by the many previous appeals of this matter including two during the 1969-70 school term. We consider school desegregation cases as presenting important public questions deserving of decision and facilitation in the most expeditious manner within the limits of due process and judicial propriety.

It was never our thought, although appellants seem to think otherwise, that the district court was stripped of its discretion to adjust the assignment plan to the end of making it workable. The district court could not, of course, make changes which would diminish the plan from the standpoint of constitutionality nor diminish the extent of the desegregation required by this court.

Indeed, immediately upon receipt of our decision, the defendant school board moved for rehearing on the ground that it was not possible to implement the plan of the decision, pointing to several errors. The motion was denied, the court being of the opinion that such problems or errors as might exist in the plan were for adjustment by the district court.

We turn then to the plan as revised by the district court to determine if the revisions amount to an improper departure from our decision. As stated, the plan of this court left 8 all Negro or virtually all Negro schools (all elementary), with 25 percent of the Negro student population assigned to them. The district court reduced the number of such schools to 7, with a total of 6,085 students or 19 percent of the Negro student population assigned to them. One of these, the Council school, which is considered by us as virtually all Negro, is to have 40 white students assigned along with 427 Negro students whereas in our plan only 4 whites were to be so assigned.

The district court proceeded from the standpoint of the zoning of the whole district. We considered only that portion of the system east of Highway I-65 except where necessary to go to the west to aid in reducing the number of all Negro schools. The problem was that a majority of the Negro population was concentrated within the city to the east of I-65. In revising our plan, the district court finalized the zoning for the entire system including elementary, junior high and high schools. The feeder system outlined in its order of July 13, 1970 is based on the school zone lines and is nothing more. It is in no way a departure from the applicable zones.

The differences between the plan contained in our June 8, 1970 opinion and the revised district court plan are reflected in the following charts which are a part of the order of the district court of July 13, 1970:

HIGH SCHOOL

Name of School	Grade	U. S. District Court Plan		Fifth Circuit Plan		Total Under District Court Plan	Permanent Capacity
		White	Negro	White	Negro		
Rain	7-12	1143	112	1150	97	1255	868
Williamson	10-12	824	491	880	471	1315	1305
Murphy	10-12	1300	1027	1643	1761	2327	2813
Toulminville	10-12	247	420	9	740	667	609
Blount-Carver	9-12	1022	1693	854	1846	2715	2697
Vigor-Bienville	9-12	1000	1425	1134	1211	2425	2204
Shaw	9-12	1312	237	1250	240	1549	1015
Davidson	9-12	2201	80	2302	72	2281	1943

MIDDLE SCHOOL

Name of School	Grade	U. S. District Court Plan		Fifth Circuit Plan		Total Under District Court Plan	Permanent Capacity
		White	Negro	White	Negro		
B. C. Rain	7-12	1143	112	1150	97	1255	868
Banes	6-9	770	220	1292	977	990	1148
Hall	6-9	336	910	1292	977	1246	1224
Dunbar	6-9	170	770	181	985	947	1064
Central	6-9	387	1164	468	1260	1551	1508
Washington	6-9	748	709	1170	1716	1457	1015
Phillips	6-9	417	695	1170	1716	1112	980
Trinity Gardens	6-8	320	540	380	690	861	868
Prichard	6-8	220	458	240	410	678	615
Mobile County Training	6-8	333	885	432	859	1218	1232
Clark	6-8	703	846	536	948	1549	1392
Scarborough	6-8	884	11	638	77	895	896
Hillsdale	6-8	451	210	431	217	661	784
Azalea Road	7-8	996	38	1039	38	1034	986
Eight Mile*	1-8	549	110	280*	66*	659	598

*District Court plan grade structure is 1-8 and the Fifth Circuit's Plan grade structure is 1-6.

*District Court plan grade structure is 1-8 and the Fifth Circuit's Plan grade structure is 1-6.

ELEMENTARY SCHOOL

Name of School	Grade	U. S. District Court Plan White	U. S. District Court Plan Negro	Fifth Circuit Plan White	Fifth Circuit Plan Negro	Total Under District Court Plan	Permanent Capacity
South Brookley	1-6	490	71	502	71	561	408
Williams	1-6	561	45	571	43	606	408
Morningside	1-5	672	0	631	0	672	544
Maryvale	1-5	402	257	441	117	659	544
Craighead	1-5	300	506	347	489	806	850
Council	1-5	40	427	4	391	467	544
Arlington	1-5	163	178	160	170	341	476
Caldwell	1-5	87	431	0	350	518	510
Leinkauf	1-5	118	393	273	165	511	442
Owens	1-5	2	1300	2	1414	1302	1428
Old Shell Road	1-5	482	7	332	295	489	476
Woodcock	1-5	255	0	424	167	255	570
Mertz	1-5	415	110	498	104	525	510
Fonville	1-5	37	787	0	1000	824	1088
Westlawn	1-5	384	0	532	0	384	510

ELEMENTARY SCHOOL (Continued)

Name of School	Grade	U. S. District Court Plan		Fifth Circuit Plan		Total Under District Court Plan	Permanent Capacity
		White	Negro	White	Negro		
Crichton	1-5	379	329	438	348	708	714
Stanton Road	1-5	5	826	6	900	831	1020
Frazier	1-5	0	1120	10	1022	1120	1156
Grant	1-5	30	850	15	1285	880	1122
Glendale	1-5	65	480	434	931	545	884
Palmer	1-5	235	435	434	931	670	568
Whitley	1-5	261	314	216	481	655	578
Robbins***	1-5	0	775	638	855	775	850
Hamilton***	1-5	630	15	638	855	645	646
Thomas	1-5	180	95	180	95	275	272
Whistler	1-5	181	205	181	205	386	510
Chickasaw	1-5	443	0	473	100	443	612
Eight Mile*	1-8	549	110	280	66*	659	598
Indian Springs**	1-6	445	15	535	11	460	408
Orchard	1-5	714	161	754	113	875	816

ELEMENTARY SCHOOL (Continued)

Name of School	Grade	U. S. District Court Plan		Fifth Circuit Plan		Total Under District Court Plan	Permanent Capacity
		White	Negro	White	Negro		
Forest Hill	1-5	624	0	560	0	624	578
Will	1-5	534	299	657	175	833	816
Austin	1-5	488	10	396	22	498	408
Dickson	1-6	726	5	835	193	731	782
Fonde	1-6	773	13	679	11	786	850
Shepard	1-6	415	29	409	29	444	544
Dodge	1-6	503	50	675	65	553	816
Corgas	CLOSED						

* District Court plan grade structure is 1-8 and the Fifth Circuit plan is grade structure 1-6.

** Fifth Circuit plan made no provision for 6th grade at Indian Springs.

***These schools will be integrated by pairing. (discussed hereinafter)

We approve the plan as revised by the district court with one exception. The plan of this court required the pairing of Palmer and Glendale, Robbins and Hamilton, and Eanes and Hall. The latter two are junior high schools. The district court plan eliminates this pairing requirement. This is proper except as to Robbins and Hamilton. These schools are contiguous; Robbins continues with an all Negro student body while Hamilton is predominantly white. The district court is directed to amend its plan so as to pair these two schools. This will reduce the number of all Negro student body schools to 6 with a total of 5,310 or 17 per cent of the total Negro student population assigned to such schools. Thus it is with this modification of the district court plan, the revised plan achieves an improved result.

We are left with the feeling that this case would not again be here if the revisions had been considered by a bi-racial advisory committee. We directed in our decision of June 8, 1970 that the promulgation and maintenance of zone lines be a matter, among others, for consideration by the bi-racial committee.

The motion of appellants for an order that the district court be required forthwith to carry out our direction to establish a bi-racial committee is granted.

The motion of appellants to vacate the order of July 13, 1970 of the district court is denied subject however to it being amended as stated herein by pairing Robbins and Hamilton.

The motion to implement the student assignment plan set out in our decision of June 8, 1970 is denied in light of the fact that we have now approved an improved plan which the district court is directed to effectuate upon receipt of the mandate of this court.

The motion to retain jurisdiction in this court with the district court to be used as a special master, cf. *Alexander v. Holmes County*, 1969, 396 U. S. 19, 90 S. Ct. 29, 24 L. Ed. 2d 19; *United States v. Hinds County*, 5 Cir., 1969, 417 F. 2d 852, is denied. Such a procedure seems unnecessary in view of the expedited appellate procedures now applicable in this circuit. See *Singleton v. Jackson*, supra, 419 F. 2d at 1222, and the procedure outlined in footnote 2 to our decision in this matter of June 8, 1970.

This opinion and order amends and supplements our decision and order of June 8, 1970, and together, they shall be considered the final order on this appeal for mandate and certiorari purposes.

Meanwhile, the district court is to proceed to carry out the mandate of this court to the end of converting the dual school system of Mobile County into a unitary system as directed notwithstanding any application for certiorari.

In the Supreme Court of the United States

OCTOBER TERM, 1970

No. 436

BIRDIE MAE DAVIS, ET AL., PETITIONERS

v.

BOARD OF SCHOOL COMMISSIONERS OF MOBILE COUNTY, ET AL.

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

MEMORANDUM FOR THE UNITED STATES

This case was initiated in 1963 by private plaintiffs seeking to desegregate the public schools of Mobile, Alabama. The United States intervened in June 1967 as a party plaintiff under Section 902 of the Civil Rights Act of 1964 (42 U.S.C. 2000h–2) and since that time has actively participated in the litigation.

The Mobile County school system has approximately 73,504 students with a racial composition which is 42 percent black. It is the largest system of public schools in Alabama and encompasses both rural and urban areas. About 75 percent of the students attend

402-072—70——1

63 schools located in the metropolitan portion of the system. Slightly less than half of the students attending metropolitan area schools are black.

The history of the present litigation is summarized in the petition and is recorded in a lengthy series of decisions of the court of appeals: *Davis* v. *Board of School Commissioners of Mobile County,* 318 F. 2d 63; *Davis v. Board of School Commissioners of Mobile County,* 322 F. 2d 356, amended in part on rehearing, 322 F. 2d 359, certiorari denied, 375 U.S. 894, rehearing denied, 376 U.S. 928; *Davis* v. *Board of School Commissioners of Mobile County,* 333 F. 2d 53, certiorari denied, 379 U.S. 844; *Davis* v. *Board of School Commissioners of Mobile County,* 364 F. 2d 896; *Davis* v. *Board of School Commissioners of Mobile County,* 393 F. 2d 690; *Davis* v. *Board of School Commissioners of Mobile County,* 414 F. 2d 609; *sub nom. Singleton* v. *Jackson Municipal Separate School District,* 419 F. 2d 1211 (en banc), reversed in part, *sub nom. Carter* v. *West Feliciana Parish School Board,* 396 U.S. 290; *Davis* v. *Board of School Commissioners of Mobile County,* No. 29,332 (decided, June 8, 1970; Pet. App. 8a–22a) (the decision here sought to be reviewed).

The petitioners here seek review of the court of appeals' approval of a desegregation plan for metropolitan Mobile based upon a plan recommended by the government in that court.[1] The record in this case contains not only an extensive catalogue of student-

[1] This plan was originally submitted by the government to the district court on January 27, 1970, as a plan which could be implemented immediately, *pendente lite,* to remain in effect until the conclusion of the then-current school year.

assignment devices previously used to maintain a dual school system, but also a variety of available plans to convert the system to a unitary one. Accordingly, this may be an appropriate case for this Court's consideration of the constitutional obligations of metropolitan school districts which have substantial residential segregation by race and a background of de jure segregation.

While the general question of appropriate methods for desegregating schools in such urban areas is already before the Court in *Swann* v. *Charlotte-Mecklenburg Board of Education,* No. 281, this Term, certiorari granted, June 29, 1970, the question raised here is somewhat different from that in *Charlotte-Mecklenburg,* and perhaps more pressing. In the *Charlotte-Mecklenburg* case the Court is asked to decide whether the district court abused its remedial discretion,[2] but here, if the petition is granted, the Court will consider whether the decision of the court of appeals falls short of minimum constitutional requirements.

Although the plan approved by the court of appeals was recommended to that court by the government as an appropriate judicial remedy and we have therefore not joined in the petition, we believe that the issues presented are important and warrant review by this Court. Such review, of course, need not, and

[2] See, *e.g.*, *Brown* v. *Board of Education*, 349 U.S. 294, 299–300; *United States* v. *Montgomery County Board of Education*, 395 U.S. 225; *Green* v. *County School Board*, 391 U.S. 430, 438 n. 4, 439, 442 n. 6; *Griffin* v. *School Board*, 377 U.S. 218, 232–234.

should not, delay implementation of the plan, as modified by the court of appeals,* in time for the opening of school.

Respectfully submitted.

ERWIN N. GRISWOLD,
Solicitor General.

JERRIS LEONARD,
Assistant Attorney General.

AUGUST 1970.

* The subsequent orders of the district court and opinion of the court of appeals, which modified the plan and which were not included in the petition, are reproduced, *infra*, as an appendix to this memorandum.

APPENDIX

In the United States District Court for the Southern District of Alabama, Southern Division

Civil Action No. 3003-63

Birdie Mae Davis, et al, plaintiff, and United States of America, by Ramsey Clark, Attorney General, etc., plaintiff-intervenor

v.

Board of School Commissioners of Mobile County, et al, defendants, and Twila Frazier, et al, intervenors

ORDER

Pursuant to the mandate of the Fifth Circuit Court of Appeals dated June 8, 1970, and received by this court on June 10, 1970, which reverses and remands with directions, this Court's desegregation plan for the Mobile County Public School System of January 31, 1970, and after consideration of such mandate, it is hereby ORDERED, ADJUDGED and DECREED by the Court that the defendants, Mobile County School Board, implement the desegregation of the Mobile County Public School System on or before July 1, 1970, as follows:

STUDENT ASSIGNMENT

It is Ordered that those area attendance zones offered by the United States Justice Department on January 27, 1970, be assigned as the school zones under which the public school system will operate beginning with the 1970 Fall semester until further orders

of this Court. The school board is directed to begin preparation and implementation of such area school zones immediately with the following exceptions: Toulminville High School attendance zone area and the Emerson Elementary School area shall be drawn by the Court and the Court shall submit this order within the immediate future. The school board is directed to furnish to the Court on Tuesday, June 16, 1970, the pupil population data for the Emerson Elementary and Toulminville High School attendance area including grade attendance and enrollment. Other than the above referenced attendance areas, the Justice Department attendance zones as drafted on January 27, 1970, shall be implemented as drafted.

FACULTY AND STAFF DESEGREGATION

On or before July 1, 1970, the principals, teachers, teacher-aides and other staff who work directly with children at a school shall be so assigned that in no case will the racial composition of a staff indicate that a school is intended for Negro students or white students. Under the present faculty employment the racial composition of Mobile County School system is approximately 60% white and 40% Negro; therefore, in accordance with the above stated policy it shall be necessary for the school faculty assignments to be made on a 60% white and 40% Negro basis. Beginning the 1970 Fall semester, the school board shall assign the staff described above so that the ratio of Negro to white teachers in each school, and the ratio of other staff in each, are substantially the same as each such ratio is to the teachers and other staff respectively, in the entire school system.

The school district shall, to the extent necessary to carry out this desegregation plan, direct members

of its staff as a condition of continued employment to accept new assignments.

Paragraph 7 of this Court's decree entered on August 1, 1969, pertaining to faculty reduction, vacancies and demotion are incorporated herein and shall remain in full force and effect.

MAJORITY TO MINORITY TRANSFER POLICY

The school board shall permit a student attending a school in which his race is in the majority to choose to attend another school where his race is in the minority and all such transferring students must be given transportation to their chosen school if they desire it and the transferee is to be given priority for space.

TRANSPORTATION, EXTRA CURRICULAR ACTIVITIES AND FACILITIES

The School Board is directed to continue to operate transportation, extra curricular activities and school facilities on a non-discriminatory basis in accordance with the past orders of this Court.

By supplemental order to be entered within the immediate future the Court shall direct that there be established a biracial committee serving in an advisory capacity to the school board in the following areas of the public school system operations: (1) Application of majority to minority transfer rule; (2) promulgation and maintenance of area within zone lines; (3) school site location.

DONE THIS THE 12th day of June 1970.

DANIEL H. THOMAS,
United States District Judge.

In the United States District Court for the Southern District of Alabama, Southern Division

Civil Action No. 3003–63

BIRDIE MAE DAVIS, ET AL., PLAINTIFF, AND UNITED STATES OF AMERICA, BY RAMSEY CLARK, ATTORNEY GENERAL, ETC., PLAINTIFF-INTERVENOR

v.

BOARD OF SCHOOL COMMISSIONERS OF MOBILE COUNTY, ET AL., DEFENDANTS, AND TWILA FRAZIER, ET AL., INTERVENORS

ORDER

The Order of this Court entered in this case on June 12, 1970, is amended in the following respect:

Pursuant to Footnote "4" of the opinion of the Fifth Circuit Court of Appeals in this case, entered on June 8, 1970, the area attendance zones for the 1969–70 school year are amended as shown by the maps hereto attached marked Exhibit "1", "2", and "3" for the elementary school, middle school and high schools respectively, which said maps show the area attendance zone for each school and the grade structure for each school.

Exhibit "4" attached hereto shows the feeder pattern for the entire school district. The facility heretofore known as the Gorgas School is closed and the students heretofore attending Gorgas are assigned to Fonville. In all other respects the Order of June 12, 1970, remains in full force and effect.

Done this, the 13th day of July, 1970.

DANIEL H. THOMAS,
United States District Judge.

EXHIBIT "4"

Feeder pattern

Elementary	Middle	High
Crichton		
Stanton Road	Phillips	Toulminville.
Dodge		
Shepard		
Fonde		
Dickson	Azalea Road	Davidson
Austin	Scarborough	Davidson
Forest Hill		
Orchard [1]	Scarborough	Shaw
Orchard [1]		
Will	Hillsdale	Shaw
Williams		
South Brookley	B. C. Rain	B. C. Rain
Morningside		
Maryvale	Eanes	
Craighead		Williamson
Arlington		
Council	Hall	Williamson
Caldwell		
Leinkauf	Dunbar	
Owens [2]		Murphy
Old Shell		
Woodcock [3]	Central	Murphy
Fonville		
West Lawn		
Mertz	Washington	
Brazier		
Thomas	Trinity Gardens	Blount
Whistler		
Robbins (Northern)		
Hamilton		
Chickasaw Southern)	Clark	Vigor
Robbins (Southern)		
Chickasaw (Northern)		
Grant (Western)	Clark	Blount
Glendale (Western)		
Palmer (Western)		
Grant (Eastern)	Prichard	Vigor
Palmer (Eastern)		
Whitley	Mobile County Training	Vigor
Glendale (Eastern)		
Eight Mile	Eight Mile	Blount
Indian Springs (Eastern)	Eight Mile	Blount

[1] Students in the eastern section of the Orchard Elementary attendance area will attend Scarborough Jr. High. Those in the western and southern sections will attend Hillsdale.

[2] With some exceptions (see maps) students in the southeast section of the Owens Elementary attendance area will attend Dunbar Middle School.

[3] Students in the eastern section of the Woodcock Elementary attendance area will attend Dunbar Middle School.